

Remarks/Arguments

Claims 1-21 are pending in the application. Claims 1-13 and 21 are rejected. Claims 14-20 are allowed.

Objection to Abstract

The abstract of the disclosure is objected to because superfluous language is used. The abstract has been amended to overcome this objection.

Claim Rejections Under 35 USC § 112

Claims 1-8 and 21 are rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to correct typographical errors noted by the Examiner. Accordingly, the rejections under Section 112 are traversed.

Claim Rejections Under 35 USC § 101

Claims 1-13 are rejected under 35 USC 101 because the Office Action asserts that the claimed invention is directed to non-statutory subject matter. Applicant has amended method claims 1 and 9 to recite that the methods are carried out by a processing device, i.e., a processor. Support for this amendment is found, for example, in the recitation of a "processor" in claim 17, which forms a part of the original disclosure of the application, as well as by the computer code listing on pages 12-13, which inherently contemplates execution by a processing device, such as may be embodied in a computer or other apparatus. In view of the foregoing, the claims cannot be construed as reciting merely mental steps, as they provide a practical application or physical transformation relative to random numbers output by a random number generator. Accordingly, the rejections under Section 101 are traversed.

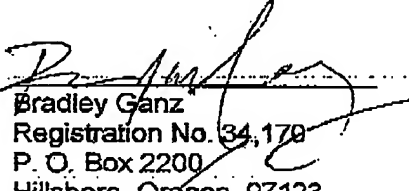
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CONCLUSION

Applicant submits that in view of the foregoing remarks and/or amendments, the application is in condition for allowance, and favorable action is respectfully requested. The Commissioner is hereby authorized to charge any fees, including extension fees, which may be required, or credit any overpayments, to Deposit Account No. 50-1001.

Respectfully submitted,

Date: January 11, 2005


Bradley Ganz
Registration No. 34,170
P. O. Box 2200
Hillsboro, Oregon 97123
Telephone: (503) 844-9009
Facsimile: (503) 296-2172
email: mail@ganzlaw.com

Correspondence to:

Philips Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131 USA
Telephone: (408) 474-9073
Facsimile: (408) 474-9082
USPTO Customer Number: 24738

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